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Attorney for Defendants
Municipality of Anchorage
Andrew Cottle
Gregory Witte
Kenneth McCoy

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ALASKA

PATRICK L. SHORTY

Plaintiff,

vs.

MUNICIPALITY OF ANCHORAGE, OFFICER
ANDREW COTTLE, INDIVIDUALLY AND IN
HIS CAPACITY AS AN ANCHORAGE POLICE
OFFICER, OFFICER WITTE, INDIVIDUALLY
AND IN HIS CAPACITY AS AN ANCHORAGE
POLICE OFFICER, KENNETH D. MCCOY,
INDIVIDUALLY AND IN HIS CAPACITY AS
AN ANCHORAGE POLICE OFFICER

Defendants.

Case No. 3:05-cv-00237-TMB

**DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION
FOR STAY PENDING RESOLUTION OF CRIMINAL PROCEEDINGS**

The Defendants, Municipality of Anchorage, Officer Andrew Cottle, Officer Gregory Witte and Officer Kenneth D. McCoy, by and through counsel, hereby oppose the Plaintiff's Motion for Stay. This court has recently entered a scheduling order in this case. The Plaintiff refused to take part in any of the scheduling proceedings. Having

failed to participate in scheduling, Plaintiff now moves for a stay. It is unclear how long a stay the Plaintiff is requesting. The Plaintiff is awaiting trial in a 2003 case. The Plaintiff's request for a stay is so open-ended that it could encompass not only the criminal trial but any appellate and post-conviction proceedings leaving the present matter in limbo. If the Plaintiff does not wish to pursue this matter, he has the option of dismissing it.

The defendants respectfully request this court to deny the motion for stay.

DATED this 21st day of June, 2006.

FREDERICK H. BONESS
MUNICIPAL ATTORNEY

/s/ Elizabeth D. Friedman
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Certificate of Service

The undersigned certifies that on the 21st day of June, 2006
I mailed by first class U.S. mail
a true and correct copy of Defendants' Opposition to
Stay to:

Patrick L. Shorty,
c/o 425 G St. Ste 600,
Anchorage, Alaska 99501

/s/ Cathi M. Russell
Cathi M. Russell, Legal Secretary
Municipal Attorney's Office